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7 Attorneys for Creditor Sarah Pazdan

8 **UNITED STATES BANKRUPTCY COURT**
NORTHERN DISTRICT OF CALIFORNIA
9 **SAN FRANCISCO DIVISION**

10 In re)
11 PG&E CORPORATION,)
12 and)

13 PACIFIC GAS AND ELECTRIC)
14 COMPANY,)
15 Debtors.)

16 _____)
17 Affects Pacific Gas and Electric Company)

18 *All papers shall be filed in the Lease)
19 Case, No. 19-3008 (DM))
20)
21)
22)
23 _____)

Case Nos. 19-30088 (DM)
Chapter 11
(Lead Case)
(Jointly Administered)

NOTICE OF HEARING ON
MOTION FOR RELIEF FROM
THE AUTOMATIC STAY AND
ABSTENTION PURSUANT TO 28
U.S.C. 1334(c)(1); MEMORANDUM
OF POINTS AND AUTHORITIES
IN SUPPORT

Date: April 29, 2020
Time: 10:00 AM
Place: Hon. Dennis Montali
United States Bankruptcy Court
Courtroom 17, 16th Floor
450 Golden Gate Ave
San Francisco, CA 94102

24 TO THE DEBTORS AND OTHER INTERESTED PARTIES:

25 PLEASE TAKE NOTICE that on April 29, 2020, at 10:00 a.m., before the Honorable
26 Dennis Montali, United States Bankruptcy Judge, in Courtroom 17 of the United States
27 Bankruptcy Court, 450 Golden Gate Avenue, 16th Floor, San Francisco, California, Sarah
Pazdan ("Pazdan"), through her undersigned attorney, will move the court for its Order:

28 1. Terminating, annulling, modifying, or conditioning the automatic stay of 11

1 U.S.C. § 362(a) to allow Pazadan to prosecute to judgment her lawsuit for employment
2 discrimination/labor law violations against the Pacific Gas and Electric Company ("PG&E"),
3 Susan Westcott, Mark Frauenheim, and Anna Shatara ("the Lawsuit");

4 2. Abstaining pursuant to 28 U.S.C. § 1344(c)(1);

5 3. Providing that the 14-day stay prescribed by Federal Bankruptcy Rule
6 4001(a)(3) shall not apply to the Court's order issued pursuant to this motion; and

7 4. For such other and further relief as this Court deems just and proper pursuant to
8 this motion.

9 Creditors object to the Bankruptcy Court being the forum for the trial of her
10 employment discrimination/labor law violation claims pursuant to 28 U.S.C. § 157.

11 This motion is brought pursuant to 11 U.S.C. § 362(d)(1) for cause. This motion is
12 based upon this Notice, the Points and Authorities, the Request for Judicial Notice, the
13 Declaration of Sarah Pazdan, and the Declaration of Don A. Ernst filed in support of this
14 motion concurrently with this notice, upon all other pleadings and papers on file herein, and
15 upon such oral and documentary evidence as may be presented by Pazdan at the hearing on
16 this motion.

17 Pursuant to Local Rule 4001-1(a) respondent(s) opposing the motion shall appear
18 personally or by counsel at the preliminary hearing. Respondent(s) will not be required to, but
19 may, file responsive pleadings, points and authorities, and declarations for any preliminary
20 hearing.

21 IN THE EVENT THAT NEITHER THE DEBTOR NOR ITS COUNSEL, NOR ANY
22 OTHER INTERESTED PARTY APPEARS AT THE HEARING ON THIS MOTION, THE
23 COURT MAY GRANT RELIEF FROM THE AUTOMATIC STAY PERMITTING
24 CREDITORS TO CONTINUE PROSECUTING THE LAWSUIT WITHOUT FURTHER
25 HEARING.

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1 Attached as Exhibit 1 to this Notice is Pazdan's proposed form of the Order.
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4 Date: March 23, 2020

FARMER & READY

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6 By: _____

7 Paul F. Ready
8 Attorneys for Creditor
9 Sarah Pazdan
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EXHIBIT 1

1 Paul F. Ready
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7 Attorneys for Creditor Sarah Pazdan

8 **UNITED STATES BANKRUPTCY COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
SAN FRANCISCO DIVISION

10 In re) Case Nos. 19-3008 (DM)
11 PG&E CORPORATION,) Chapter 11
(Lead Case)
12 and) (Jointly Administered)

13 PACIFIC GAS AND ELECTRIC
14 COMPANY,

15 Debtors.

ORDER FOR RELIEF FROM THE
AUTOMATIC STAY AND
ABSTENTION PURSUANT TO 28
U.S.C. § 1334(c)(1)

16 Date:

Time: 9:30 AM

17 Place: Hon. Dennis Montali
United States Bankruptcy Court
Courtroom 17, 16th Floor
450 Golden Gate Ave
San Francisco, CA 94102

18 Affects Pacific Gas and Electric Company

19 *All papers shall be filed in the Lease
Case, No. 19-3008 (DM)

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23 The motion of Sarah Pazdan ("Pazdan") for relief from the automatic stay and
24 abstention (the "Motion") came on for hearing before the Hon. Dennis Montali, United States
25 Bankruptcy Court Judge, on _____ 2020. The Court having considered all papers filed in
26 support of the Motion and the _____ opposition, and upon due
27 consideration and good cause appearing,

28 **IT IS ORDERED** that the automatic stay is terminated as to Pazdan who may take

1 any acts, institute and/or complete any proceedings necessary to prosecute to judgement her
2 for employment discrimination/labor law violations against Pacific Gas and Electric Company
3 in the San Francisco County Superior Court (the "Lawsuit"). The Court will abstain pursuant
4 to 11 U.S.C. § 1334(c)(1) from hearing the Lawsuit.

5 **IT IS FURTHER ORDERED** that the 14-day stay provided by Federal Bankruptcy
6 Rule of Procedure 4001(a)(3) shall not apply to this Order

7 **END OF ORDER**
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